

---

REMARKSDrawing Objections

The drawing objections raised by the Examiner have been addressed as the Examiner suggested, i.e., by the addition of Fig. 3a and a separate letter requesting its approval (the letter is a separate document, but is being submitted with this response). No new matter has been added.

Rejection under 35 U.S.C. § 112

Claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 has been amended to avoid presenting the language in both a broad and a narrow context. Claim 3 has been amended to remove the assertedly ambiguous language. As such, the rejections under 35 U.S.C. 112 are believed to have been overcome and Applicant respectfully requests that the rejection be withdrawn.

Rejection under 35 U.S.C. § 102 and §103

Claims 1,2, 4, and 6-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by EP98592. Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over EP98592 in view of Michael et al. (US 5,695,623) or Schulman et al. (US 5,660,163).

The present invention relates to a health monitoring system. An administration device may be provided, such as, for example, an implanted or body worn insulin injection device. The injection device may be controlled by a separate unit, such as a remote display terminal. In one embodiment, the remote display terminal may operate the injection device and receive and display data from the injection device, such as the amount of medicament injected. As described in the specification, the use of a separate remote display terminal allows for a larger and more useful display to be provided. This makes it easier for the user to both see and operate, but also allows for more information and more detailed health care information to be displayed. For example, software may be provided to take the obtained data and not only monitor, but evaluate

certain health conditions. This can be done both instantaneously and over time as the data is stored and a history is developed. As noted in the specification, in one embodiment the remote display terminal is a hand-held device and in another is a personal computer.

In one embodiment, a remote terminal display can be operably coupled to an external measurement module, such as a glucose sensor. A health parameter is detected by the module and corresponding data is provided to the remote terminal display, to provide even further health monitoring information to the person.

In claims 1-11, the module is coupleable with a computer. Such a computer provides advantages over simple, singular display devices. A larger screen area allows for more information to be displayed. Familiarity with the computer makes it easier for people to use the system. The module can be used with a preexisting system, thus costs are reduced. Also, as mentioned above, the system can both evaluate and monitor health care information.

The EP reference does not disclose or teach each claimed feature and, thus, does not anticipate the claims. The reference teaches an artificial pancreas that measures blood values and provides for appropriate actions. The reference does not teach providing a module that can be coupled with a computer. Furthermore, the reference does not disclose the use of a sensor for measuring glucose concentrations with such a module being coupleable to a computer. For at least this reason, the rejection should be withdrawn and the claims passed to issue.

With respect to the rejection under 35 U.S.C. 103, none of the cited references address the deficiencies noted above. The Michel et al. and Schulman et al. references teach devices for instantaneously measuring glucose levels. Neither reference teaches operably coupling the sensor with a computer. Neither reference teaches recording a history and allowing for a medical evaluation. Neither reference teaches coupling the sensor with a significantly sized display to provide larger sums of information to the user. For at least these reasons, none of the cited references, alone or in combination, teach the presently claimed invention. Thus, Applicant respectfully asserts that the amended claims are allowable over the art of record.


New claims 13-21 are directed to a health monitoring system that includes an administration device and a remote control for that administration device. In addition, a sensor is provided that is operably coupleable with that remote control for taking additional measurements, such as glucose concentration. The system, as claimed in different embodiments, has the ability to display larger amounts of data, record data, and provide an evaluation or history of a person's health.

Claims 22-27 are directed to a method of monitoring a glucose concentration. Claims 28-33 are directed to a system for monitoring glucose concentrations. These new claims are believed allowable over the art of record.

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Respectfully submitted,

DORSEY & WHITNEY LLP

By:   
David E. Bruhn (Reg. No. 36,762)  
Suite 1500  
50 South Sixth Street  
Minneapolis, MN 55402-1498  
(612) 340-6317

Date: March 13, 2003